

NATIONWIDE MUTUAL INSURANCE )  
COMPANY, )  
 )  
Plaintiff, )  
 )  
v. ) No. 3:17-CV-4-RLJ-CCS  
 )  
US ENTERPRISES, INC., d/b/a/ JIMMY'S )  
MARKET and JILL LISKE, )  
 )  
Defendants. )

**(m) Time Limit for Service.** If a defendant is not served within 90 days after the complaint is filed, the court--on motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f), 4(h)(2), or 4(j)(1).

In the instant matter, the Complaint [Doc. 1] was filed on January 6, 2017. The summons to Defendant US Enterprises was issued on the same day. [Doc. 5]. On March 29, 2017, the docket shows that Defendant US Enterprises was served; however, the entry was later modified to state, "Summons to be issued; original summons accepted by unknown individual by cert. mail." [Doc. 9]. A summons was reissued to Defendant US Enterprises on April 6, 2017, pursuant to the Plaintiff's request. The history of this case shows that the Plaintiff is actively trying to serve Defendant US Enterprises, and therefore, the Court finds good cause to grant the extension. *See Sydney v. Columbia Sussex Corp.*, No. 3:13-CV-312-TAV-CCS, 2014 WL 7156953, at \*2 (E.D. Tenn. Dec. 15, 2014) ("Diligent and reasonable efforts to serve process, however, may warrant a finding of good cause."). Accordingly, the Court finds the Motion to Extend Time for Service of Complaint [Doc. 12] well-taken, and it is **GRANTED**. The Plaintiff shall have an additional ninety (90) days from April 6, 2017, to effect service on Defendant US Enterprises.

**IT IS SO ORDERED.**

ENTER:

s/ C. Clifford Shirley, Jr.  
United States Magistrate Judge